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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BASHORE, WILLIAM L	
ART UNIT	PAPER NUMBER
2176	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/003,348	KO ET AL.	
	Examiner	Art Unit	
	William L. Bashore	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 November 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-20 and 22-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *24* is/are allowed.

6)☒ Claim(s) *1-7,10-15,17-20,22,23,25 and 26* is/are rejected.

7)☒ Claim(s) *9 and 16* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: amendment filed 11/16/2006, to the original application filed 12/6/2007, said application claiming priority provisional filing date of **12/7/2000**. IDS filed 4/16, 2002 and 1/27/2003.

2. Claims 1-7, 9-20, 22-26 pending. Claims 1, 6, 14, 20, 24, 25 are independent claims.

3. The indication of allowable subject matter of previous dependent claim 21 (now canceled and incorporated into claim 20) has been withdrawn as necessitated by newly found art.

Allowable Subject Matter

4. **Claim 24** is allowed.

5. **Claims 9, 16** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Mahoney et al. (hereinafter Mahoney), U.S. Patent No. 6,665,841 issued December 2003.**

In regard to independent claim 1, Mahoney teaches delivery of a document from server to client (via a network) (Mahoney Abstract).

Mahoney teaches document images segmented (decomposed) into layout objects (nodes) in accordance with a document model, each object identifying different structural elements in a document image (Mahoney Abstract – especially at top, also Figures 22-25, and column 5 lines 35-54).

Mahoney teaches associating various layout objects with document regions (Mahoney Abstract). Since Mahoney teaches transmission of layout objects in either high or low resolution (or in the form of bounding polygons), said objects are at least capable of incorporating a plurality of resolutions.

Mahoney teaches delivering an initial document (initial batch of nodes) to a client computer, with a portion of layout objects transmitted in high resolution, and the remaining layout objects transmitted in low resolution (the low resolution can be interpreted as the claimed "first" resolution level) (Mahoney Abstract – bottom half).

Mahoney teaches re-transmitting the remaining layout objects in a high resolution (finer resolution), said re-transmitting commencing after a system timeout (not involving any computer interruption) (see Abstract – bottom half, column 31 lines 9-42, column 32 lines 59-61, column 33 lines 4-10).

In regard to dependent claim 2, Mahoney teaches an initial transmission of layout objects in a lower (i.e. lowest) resolution (Mahoney Abstract).

Claim Rejections - 35 USC § 103

8. **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. **Claims 3-6, 10-11, 13-14, 17, 19, 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahoney.**

In regard to dependent claim 3, Mahoney does not specifically recite "*anticipation analysis*" as applied to supplemental transmission. However, Mahoney does teach a timeout feature (Mahoney Abstract, column 33 lines 4-10). This provides reasonable suggestion to one of ordinary skill in the art at the time of the invention to interpret this as an anticipation analysis, since Mahoney anticipates that the second stage objects will be re-transmitted at high resolution if a timeout is reached, providing increased convenience for the user by automatically transmitting accordingly.

In regard to dependent claim 4, Mahoney teaches layout objects within a document (Mahoney Abstract).

Mahoney teaches a search and retrieval system, providing reasonable suggestion to one of ordinary skill in the art at the time of the invention that a plurality of documents (batches) are involved (Mahoney abstract), providing the benefit of multiple documents for research purposes.

In regard to dependent claim 5, Mahoney teaches all relevant object nodes in one document, some of the nodes (first stage) comprising lower resolution (Mahoney Abstract, Figures 22-25).

In regard to independent claim 6, Mahoney teaches delivery of a document from server to client (via a network) (Mahoney Abstract).

Mahoney teaches document images segmented (decomposed) into layout objects (nodes) in accordance with a document model, each object identifying different structural elements in a document image (Mahoney Abstract – especially at top, also Figures 22-25).

Mahoney teaches associating various layout objects with document regions (Mahoney Abstract). Since Mahoney teaches transmission of layout objects in either high or low resolution (or in the form of bounding polygons), said objects are at least capable of incorporating a plurality of resolutions.

Mahoney teaches delivering an initial document (initial batch of nodes) to a client computer, with a portion of layout objects transmitted in high resolution, and the remaining layout objects transmitted in low resolution (the low resolution can be interpreted as the claimed "first" resolution level) (Mahoney Abstract – bottom half).

Mahoney teaches re-transmitting the remaining layout objects in a high resolution (finer resolution), said re-transmitting commencing after a system timeout (not involving any computer interruption) (see Abstract – bottom half, column 31 lines 9-42, column 32 lines 59-61, column 33 lines 4-10).

Mahoney does not specifically recite "*anticipation analysis*" as applied to supplemental transmission. However, Mahoney does teach a timeout feature (Mahoney Abstract, column 33 lines 4-10). This provides reasonable suggestion to one of ordinary skill in the art at the time of the invention to interpret this as an anticipation analysis, since Mahoney anticipates that the second stage objects will be re-transmitted at high resolution if a timeout is reached, providing increased convenience for the user by automatically transmitting accordingly.

In regard to dependent claim 10, Mahoney teaches a user manipulating an initial transmission by requesting the server for re-transmission at a higher resolution (Mahoney Abstract).

In regard to dependent claim 11, Mahoney teaches attributes describing the spatial relationships with other layout objects (Mahoney column 5 lines 45-50). Mahoney also teaches user input via lookup table of text descriptions of attributes associated with document layouts (Mahoney column 38 line 64 to column 39 line 6), providing reasonable suggestion to one of ordinary skill in the art at the time of the invention to incorporate a "lookup table" with layout analysis (at either a server and/or client).

In regard to dependent claim 13, Mahoney teaches transmission and re-transmission of document(s) containing portions, each portion of a document reflective of regions transmitted in high or low resolution (Mahoney Abstract).

In regard to independent claim 14, Mahoney teaches delivery of a document from server to client (via a network) (Mahoney Abstract).

Mahoney teaches document images segmented (decomposed) into layout objects (nodes) in accordance with a document model, each object identifying different structural elements in a document image (Mahoney Abstract – especially at top, also Figures 22-25).

Mahoney teaches associating various layout objects with document regions (Mahoney Abstract). Since Mahoney teaches transmission of layout objects in either high or low resolution (or in the form of bounding polygons), said objects are at least capable of incorporating a plurality of resolutions.

Mahoney teaches delivering an initial document (initial batch of nodes) to a client computer, with a portion of layout objects transmitted in high resolution, and the remaining layout objects transmitted in low resolution (the low resolution can be interpreted as the claimed "first" resolution level) (Mahoney Abstract – bottom half).

Mahoney teaches re-transmitting the remaining layout objects in a high resolution (finer resolution), said re-transmitting commencing after a system timeout (not involving any computer interruption) (see Abstract – bottom half, column 31 lines 9-42, column 32 lines 59-61, column 33 lines 4-10).

Mahoney does not specifically recite "*anticipation analysis*" as applied to supplemental transmission. However, Mahoney does teach a timeout feature (Mahoney Abstract, column 33 lines 4-10). This provides reasonable suggestion to one of ordinary skill in the art at the time of the invention to interpret this as an anticipation analysis, since Mahoney anticipates that the second stage objects will be re-transmitted at high resolution if a timeout is reached, providing increased convenience for the user by automatically transmitting accordingly.

In regard to dependent claims 17, 19, claims 17, 19 reflect the system comprising computer executable instructions used for performing the method as claimed in claims 13, 11 respectively, and are rejected along the same rationale.

In regard to dependent claims 25-26, claims 25-26 incorporate substantially similar subject matter as claimed in claim 6, and in further view of the following, are rejected along the same rationale.

Mahoney teaches transmission of a document during a first stage – indicative of a "baseline document" (Mahoney Abstract).

Mahoney teaches a computer with memory (Mahoney Figure 1), which typically employs a cache for temporarily storing relevant data.

10. **Claims 7, 12, 15, 18, 20, 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahoney, in view of Philyaw et al. (hereinafter Philyaw), U.S. Patent No. 6,829,646 issued December 2004.**

In regard to dependent claims 7, 12, Mahoney does not specifically teach grouping according to characteristics of the second computer. However, Philyaw teaches changing varying aspects of a banner ad for downloading according to video resolution data supplied to the server by the user (Philyaw Abstract). It is noted that Philyaw changes resolution portions of a Web page (changing size of refresh ticker banners, and/or adding more banners), pursuant to browser transmitted data detailing user selected changes in resolution (which a user can select at anytime), resulting in download of a new Web page (i.e. a new batch of nodes with new resolutions, etc.) (Philyaw Figures 4, 5). A plurality of resolution levels (banner resizing, etc.) is accomplished as well (Philyaw column 4 lines 23-31). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Philyaw to Mahoney, providing Mahoney the benefit of customizing display areas to adjust for coarse/fine resolutions of different user displays (the content can be adjusted accordingly (i.e. maximized) if a user moves between a desktop display to a PDA display, etc.), therefore providing easier reading over different displays.

In regard to dependent claims 15, 18, claims 15, 18 reflect the system comprising computer executable instructions used for performing the methods as claimed in claims 7, 12, respectively, and are rejected along the same rationale.

In regard to independent claim 20, Mahoney teaches delivery of a document from server to client (via a network) (Mahoney Abstract).

Mahoney teaches document images segmented (decomposed) into layout objects (nodes) in accordance with a document model, each object identifying different structural elements in a document image (Mahoney Abstract – especially at top, also Figures 22-25).

Mahoney teaches associating various layout objects with document regions (Mahoney Abstract). Since Mahoney teaches transmission of layout objects in either high or low resolution (or in the form of bounding polygons), said objects are at least capable of incorporating a plurality of resolutions.

Mahoney teaches delivering an initial document (initial batch of nodes) to a client computer, with a portion of layout objects transmitted in high resolution, and the remaining layout objects transmitted in low resolution (the low resolution can be interpreted as the claimed "first" resolution level) (Mahoney Abstract – bottom half).

Mahoney teaches re-transmitting the remaining layout objects in a high resolution (finer resolution), said re-transmitting commencing after a system timeout (not involving any computer interruption) (see Abstract – bottom half, column 31 lines 9-42, column 32 lines 59-61, column 33 lines 4-10). Mahoney teaches in addition to a timeout feature, a user requesting re-transmission (Mahoney Abstract, column 31 lines 35-42). The client computer accepts a user request, and sends the message accordingly.

Mahoney does not specifically recite "*anticipation analysis*" as applied to supplemental transmission. However, Mahoney does teach a timeout feature (Mahoney Abstract, column 33 lines 4-10). This provides reasonable suggestion to one of ordinary skill in the art at the time of the invention to interpret this as an anticipation analysis, since Mahoney anticipates that the second stage objects will be re-transmitted at high resolution if a timeout is reached, providing increased convenience for the user by automatically transmitting accordingly.

Mahoney does not specifically teach providing a "*screen size*" of the second computer. However, Philyaw teaches changing varying aspects of a banner ad for downloading according to video resolution data supplied to the server by the user (Philyaw Abstract). It is noted that Philyaw changes resolution portions of a Web page (changing size of refresh ticker banners, and/or adding more banners), pursuant to browser transmitted data detailing user selected changes in resolution (which a user can select at anytime), resulting in download of a new Web page (i.e. a new batch of nodes with new resolutions, etc.) (Philyaw Figures 4, 5). A plurality of resolution levels (banner resizing (reasonably suggestive of panning/zooming, etc.) is accomplished as well (Philyaw column 4 lines 23-31). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Philyaw to Mahoney, providing Mahoney the benefit of customizing display areas to

adjust for coarse/fine resolutions of different user displays (the content can be adjusted accordingly (i.e. maximized) if a user moves between a desktop display to a PDA display, etc.), therefore providing easier reading over different display sizes.

In regard to dependent claims 22-23, claims 22-23 incorporate substantially similar subject matter as claimed in claim 20, and are rejected along the same rationale.

Response to Arguments

11. Applicant's arguments with respect to the instant claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William L. Bashore

WILLIAM BASHORE
PRIMARY EXAMINER
February 4, 2007